

**VILLAGE OF WINDSOR
RESOLUTION 2018-50**

**APPROVAL OF REDUCTION IN LETTER OF CREDIT
FOR PRAIRIE CREEK – PHASE 3**

WHEREAS, State at Main Development, LLC (“Developer”) has requested a reduction in the Letter of Credit which serves as surety for completion of infrastructure in Phase 3B of Prairie Creek; and

WHEREAS, the Developer's request has been reviewed by the Village Engineer and is summarized in the attached Memorandum from the Village Engineer dated June 21, 2018; and

WHEREAS, the Village Engineer has reviewed the above-described documents, and recommend the approval of same; and

WHEREAS, at its regularly scheduled meeting on July 5, 2018, the Village Board reviewed the request for a reduction in the letter of credit as well as the information submitted by the Village Engineer.

NOW, THEREFORE, BE IT RESOLVED by the Village Board of the Village of Windsor as follows:

- A. The Developer’s Letter of Credit shall be reduced to One Hundred Forty Eight Thousand Seven Hundred Twenty Dollars (\$148,720.00) as set forth in the June 21, 2018 Memorandum from the Village Engineer, which is incorporated herein by reference.
- B. The Developer may provide a copy of this Resolution and the attachments thereto to any third party requesting verification of the Village's approval of the reduction.
- C. An updated Letter of Credit, in the same form as the previous Letter of Credit, shall be issued and provided to the Village simultaneous with or prior to the Village's surrender of the existing Letter of Credit.
- D. It is the Developer's obligation to timely satisfy those conditions adopted by the Village Board, and to provide satisfactory verification of compliance to the Village. Any necessary or requested reviews or submissions to the Village for determinations of compliance with this Resolution shall be made at least ten (10) business days prior to the date upon which verification of compliance is required.

The above and foregoing Resolution was duly adopted by the Village Board of the Village of Windsor, Dane County, Wisconsin at a meeting held on July 5, 2018 by a vote of 4 in favor and 0 opposed.

VILLAGE OF WINDSOR

Robert E. Wipperfurth
Robert E. Wipperfurth, President

Attested by:
Christine Capstran
Christine Capstran, Clerk

Incorporated by Reference:
6-21-2018 Village Engineer Memorandum



Memorandum

To: Windsor Village Board

CC: Tina Butteris, Administrator
Jamie Rybarczyk, Deputy Administrator
Amy Anderson Schweppe, Planning & Development Coordinator

From: Kevin Richardson, Engineer

Date: June 21, 2018

Re: Prairie Creek Letter of Credit Reduction Phase 3B

State at Main Development, LLC, the developer of Prairie Creek is requesting a reduction in the letter of credit (LOC), which is the surety for completing the infrastructure on Phase 3B of the project. Windsor entered into an agreement with Gorman and Company, Inc. April 20, 2006, for the development of Prairie Creek. State at Main Development, LLC is the successor of Gorman and company, Inc. The agreement allows a reduction in the LOC after final waivers of lien have been submitted and the improvements installed meeting Village standards.

Infrastructure has been installed along Autumn Harvest Way and Eagle Ridge Lane to the south limit of the Prairie Creek Subdivision. The reduced LOC represents the cost of the installation of the surface course along Wolf Hollow Road and the retainage is for the warranty period repairs.

Surety amounts and warranty periods in Chapter 236.13 (2) of the Wisconsin Statutes were changed by 2013 Wisconsin Act 280. The following is an excerpt which specifies the allowable surety amount to be required by the Village. "Upon substantial completion of the public improvements, the amount of the security the subdivider is required to provide may be no more than an amount equal to the total cost to complete any uncompleted public improvements plus 10 percent of the total cost of the completed public improvements." The infrastructure construction cost to date is \$920,000, the estimated cost for the place surface course for autumn Harvest Way and Eagle Ridge Lane is \$23,300 and there is approximately \$37,000 of miscellaneous work to be completed.

I am recommending that the letter of credit be reduced to \$148,720 for the Prairie Creek Phase 3B development. An estimate of the remaining work is attached to this memo.

Surety Based On Bid from Parisi
Prairie Creek Phase 3B, Village of Windsor, WI
Reduction Request #1- June 7, 2018

Section 01 22 00 Ref #	Bid Item Ref. No.	Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total	% Complete	10% of Completed Work	100% of Incomplete Work
General									
--	1	Performance & Payment Bonds	LS	1	\$ 500.00	\$ 500.00	100%	\$ 50.00	\$ -
--	2	Mobilization	LS	1	\$ 15,600.00	\$ 15,600.00	100%	\$ 1,560.00	\$ -
31 10 00	3	Clearing and Grubbing	LS	1	\$ 2,200.00	\$ 2,200.00	100%	\$ 220.00	\$ -
Grading and Erosion Control									
01 35 00	4	Topsoil Stripping & Stockpiling (assume 14" depth)	CY	22,560	\$ 1.90	\$ 42,864.00	100%	\$ 4,286.40	\$ -
01 35 00	5	Topsoil Respread - Lots (12" thick)	CY	16,540	\$ 1.90	\$ 31,426.00	50%	\$ -	\$ 15,713.00
01 35 00	6	Deep Tilling	LS	1	\$ 2,100.00	\$ 2,100.00	100%	\$ 210.00	\$ -
01 35 00	7	Common Excavation	CY	17,000	\$ 3.50	\$ 59,500.00	100%	\$ 5,950.00	\$ -
31 23 16	8	Borrow Excavation (from Pleasant Hills)	CY	7,900	\$ 1.60	\$ 12,640.00	100%	\$ 1,264.00	\$ -
01 35 00	9	Lot Restoration - Seed, Fertilize and Mulch	SY	46,640	\$ 0.30	\$ 13,992.00	50%	\$ -	\$ 6,996.00
01 35 00	10	Terrace Restoration - Seed, Fertilize and Mulch	SY	2,610	\$ 2.90	\$ 7,569.00	50%	\$ -	\$ 3,784.50
01 35 00	11	Boulder Retaining Wall	VSF	4,250	\$ 29.75	\$ 126,437.50	100%	\$ 12,643.75	\$ -
31 25 13	12	Clear Stone Tracking Pad	TON	90	\$ 14.00	\$ 1,260.00	50%	\$ -	\$ 630.00
31 25 13	13	Silt Fence	LF	2,570	\$ 1.70	\$ 4,369.00	50%	\$ -	\$ 2,184.50
31 25 13	14	Erosion Matting - Non-Channel (Class I, Type A)	SY	8,620	\$ 1.10	\$ 9,482.00	50%	\$ -	\$ 4,741.00
31 25 13	15	Inlet Protection - Type D	EA	8	\$ 120.00	\$ 960.00	50%	\$ -	\$ 480.00
31 25 13	16	Medium Rip Rap w/ Fabric	TON	90	\$ 35.50	\$ 3,195.00	50%	\$ -	\$ 1,597.50
01 35 00	17	Ditch Check Stone Weepers	EA	11	\$ 190.00	\$ 2,090.00	50%	\$ -	\$ 1,045.00
Streets & Roadwork									
31 23 16	18	Excavation Below Subgrade	CY	560	\$ 27.25	\$ 15,260.00	100%	\$ 1,526.00	\$ -
32 11 23	19	Geotextile Fabric - Street Subgrade	SY	280	\$ 1.70	\$ 476.00	100%	\$ 47.60	\$ -
31 23 16	20	Finish Grading	LF	1,250	\$ 5.80	\$ 7,250.00	100%	\$ 725.00	\$ -
32 12 16	21	HMA Pavement - Upper Layer (1-3/4"), Type E1	SY	3,950	\$ 5.90	\$ 23,305.00	0%	\$ -	\$ 23,305.00
32 12 16	22	HMA Pavement - Lower Layer (2-1/4"), Type E1	SY	3,950	\$ 7.00	\$ 27,650.00	100%	\$ 2,765.00	\$ -
32 12 16	23	HMA Pavement - Bike Path (3")	SY	1,840	\$ 12.25	\$ 22,540.00	100%	\$ 2,254.00	\$ -
32 12 16	24	Clean and Tack Coat Binder	SY	3,950	\$ 0.40	\$ 1,580.00	100%	\$ 158.00	\$ -
32 11 23	25	Crushed Aggregate Base Course - 10" thick under Roadway Pavement	SY	3,950	\$ 6.90	\$ 27,255.00	100%	\$ 2,725.50	\$ -
32 11 23	26	Crushed Aggregate Base Course - 6.5" thick under C&G	SY	890	\$ 4.50	\$ 4,005.00	100%	\$ 400.50	\$ -
32 11 23	27	Crushed Aggregate Base Course - 8" thick under Bike Path	SY	1,840	\$ 7.30	\$ 13,432.00	100%	\$ 1,343.20	\$ -
32 11 23	28	Crushed Aggregate Base Course - 11" thick for Bike Path Shoulders	SY	360	\$ 7.20	\$ 2,592.00	100%	\$ 259.20	\$ -
03 30 00	29	Concrete Curb & Gutter - 30"	LF	2,290	\$ 13.75	\$ 31,487.50	100%	\$ 3,148.75	\$ -
03 30 00	30	Reinforced Curb and Gutter @ Lateral Locations	EA	29	\$ 74.00	\$ 2,146.00	100%	\$ 214.60	\$ -
03 30 00	31	5" Concrete Sidewalk w/ 4" Base	SF	12,230	\$ 3.20	\$ 39,136.00	100%	\$ 3,913.60	\$ -
03 30 00	32	Reinforce Concrete Sidewalk @ Lateral Crossings	EA	29	\$ 74.00	\$ 2,146.00	100%	\$ 214.60	\$ -
03 30 00	33	Concrete Curb Ramps	SF	360	\$ 7.00	\$ 2,520.00	100%	\$ 252.00	\$ -
03 30 00	34	Truncated Dome Detectable Warning Field	EA	4	\$ 160.00	\$ 640.00	100%	\$ 64.00	\$ -
01 35 00	35	Street Sign - Stop Sign (R1-1) and Street Name Assembly	EA	1	\$ 370.00	\$ 370.00	100%	\$ 37.00	\$ -
01 35 00	36	Street Sign - Street Name (D3-1)	EA	1	\$ 370.00	\$ 370.00	100%	\$ 37.00	\$ -
01 35 00	37	Type III Barricades w/Road Closed Sign	EA	2	\$ 620.00	\$ 1,240.00	100%	\$ 124.00	\$ -
Sanitary Sewer									
33 31 13	38	Sanitary Sewer - 8" PVC	LF	1,100	\$ 33.00	\$ 36,300.00	100%	\$ 3,630.00	\$ -
33 31 13	39	Sanitary Sewer - 48" Dia. Manhole	EA	7	\$ 3,600.00	\$ 25,200.00	100%	\$ 2,520.00	\$ -
33 31 13	40	Connect to Existing Manhole	EA	2	\$ 950.00	\$ 1,900.00	100%	\$ 190.00	\$ -
33 05 14	41	Internal Chimney Seals	EA	8	\$ 550.00	\$ 4,400.00	100%	\$ 440.00	\$ -
33 31 13	42	Sanitary Sewer Service Lateral - 4" PVC	LF	1243	\$ 29.50	\$ 36,668.50	100%	\$ 3,666.85	\$ -
31 23 17	43	Sanitary Sewer Trench Compaction	TF	2,343	\$ 4.30	\$ 10,074.90	100%	\$ 1,007.49	\$ -
31 31 33	44	TV Inspection - Sanitary Sewers	LF	1,100	\$ 1.60	\$ 1,760.00	100%	\$ 176.00	\$ -
Water Distribution									
33 11 13	45	Water Main - 6" D.I.	LF	24	\$ 58.00	\$ 1,392.00	100%	\$ 139.20	\$ -
33 11 13	46	Water Main - 8" D.I.	LF	1100	\$ 43.00	\$ 47,300.00	100%	\$ 4,730.00	\$ -
33 11 13	47	Watermain - 16" D.I.	LF	630	\$ 84.00	\$ 52,920.00	100%	\$ 5,292.00	\$ -
33 11 13	48	Remove Existing 16" Watermain	LF	630	\$ 5.20	\$ 3,276.00	100%	\$ 327.60	\$ -

35 12 16	49	Gate Valves - 6"	EA	2	\$ 1,700.00	\$ 3,400.00	100%	\$ 340.00	\$ -
35 12 16	50	Gate Valves - 8"	EA	4	\$ 2,100.00	\$ 8,400.00	100%	\$ 840.00	\$ -
35 12 16	51	Gate Valves - 16"	EA	1	\$ 8,500.00	\$ 8,500.00	100%	\$ 850.00	\$ -
33 11 13	52	Styrofoam Insulation (8'x4'x2" Thick)	EA	15	\$ 180.00	\$ 2,700.00	100%	\$ 270.00	\$ -
33 12 13	53	Water Service Lateral - 1" Copper	LF	1292	\$ 26.50	\$ 34,238.00	100%	\$ 3,423.80	\$ -
33 12 13	54	Salvage and Move Existing Hydrant	EA	2	\$ 1,900.00	\$ 3,800.00	100%	\$ 380.00	\$ -
33 11 13	55	Connect to Existing Watermain	EA	3	\$ 5,500.00	\$ 16,500.00	100%	\$ 1,650.00	\$ -
31 23 17	56	Watermain Trench Compaction	TF	1,124	\$ 6.20	\$ 6,968.80	100%	\$ 696.88	\$ -
Storm Sewer & Storm Water Management									
33 41 13	57	Storm Sewer - 12" RCP	LF	341	\$ 37.25	\$ 12,702.25	100%	\$ 1,270.23	\$ -
33 41 13	58	Storm Sewer - 15" RCP	LF	112	\$ 43.00	\$ 4,816.00	100%	\$ 481.60	\$ -
33 41 13	59	Storm Sewer - 18" RCP	LF	184	\$ 46.25	\$ 8,510.00	100%	\$ 851.00	\$ -
33 41 13	60	Storm Sewer - 24" RCP	LF	146	\$ 54.00	\$ 7,884.00	100%	\$ 788.40	\$ -
33 41 13	61	Storm Sewer - 24" CMP	LF	36	\$ 46.75	\$ 1,683.00	100%	\$ 168.30	\$ -
33 41 13	62	Storm Sewer - 36" CMP	LF	88	\$ 54.00	\$ 4,752.00	100%	\$ 475.20	\$ -
33 41 13	63	Storm Sewer - 29"x45" HERCP	LF	69	\$ 120.00	\$ 8,280.00	100%	\$ 828.00	\$ -
33 41 13	64	Storm Sewer - 34"x53" HERCP	LF	42	\$ 140.00	\$ 5,880.00	100%	\$ 588.00	\$ -
33 05 14	65	29"x45" HERCP Apron Endwall with Pipe Grate	EA	1	\$ 2,600.00	\$ 2,600.00	100%	\$ 260.00	\$ -
33 05 14	66	34"x53" HERCP Apron Endwall with Pipe Grate	EA	1	\$ 3,100.00	\$ 3,100.00	100%	\$ 310.00	\$ -
33 05 14	67	18" RCP Apron Endwall with Pipe Grate	EA	1	\$ 1,800.00	\$ 1,800.00	100%	\$ 180.00	\$ -
33 05 14	68	24" CMP Apron Endwall with Pipe Grate	EA	2	\$ 1,000.00	\$ 2,000.00	100%	\$ 200.00	\$ -
33 05 14	69	36" CMP Apron Endwall with Pipe Grate	EA	4	\$ 1,200.00	\$ 4,800.00	100%	\$ 480.00	\$ -
33 05 14	70	Storm Sewer Manhole - 48"	EA	7	\$ 2,100.00	\$ 14,700.00	100%	\$ 1,470.00	\$ -
33 05 14	71	Storm Sewer Manhole - 84" with 2'x3' Inlet	EA	1	\$ 5,300.00	\$ 5,300.00	100%	\$ 530.00	\$ -
33 05 14	72	Storm Sewer Manhole - 96" with 2'x3' Inlet	EA	1	\$ 7,300.00	\$ 7,300.00	100%	\$ 730.00	\$ -
33 05 14	73	Storm Sewer Curb Inlet - 2' x 3' Precast Box W/ Frame & Grate	EA	6	\$ 2,200.00	\$ 13,200.00	100%	\$ 1,320.00	\$ -
31 23 17	74	Storm Sewer Trench Compaction	TF	1,018	\$ 3.40	\$ 3,461.20	100%	\$ 346.12	\$ -
Total - Prairie Creek Phase 3B						\$980,051.65		\$88,240.37	\$ 60,476.50

Surety for Construction (120% of Construction Estimate): **\$1,176,062.00**

Surety to be kept during Warranty (10% of completed work + Incomplete work): **\$148,717.00**